



Freshfields Bruckhaus Deringer US LLP

By ECF and Email

Hon. Andrew L. Carter, Jr.
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Southern District of New York
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June 16, 2021

**Re: *Kennedy Lewis Partners Master Fund LP et al. v. Abry Partners, LLC et al.*,
Case No. 1:21-cv-04690-ALC**

Dear Judge Carter:

We represent Wilmington Savings Fund Society, FSB (“WSFS”), one of the defendants named in the above-referenced matter. We write jointly with counsel to Abry Partners, LLC; CIFIC Asset Management LLC; Apex Credit Partners, LLC; Ellington Management Group, L.L.C.; and Trimaran Advisors Management, L.L.C., the remaining defendants in the above-referenced matter (collectively, the “Required Lender Defendants”).

After conferring with counsel to Plaintiffs and reaching agreement, pursuant to Rule 1(D) of your Individual Practices, we write to respectfully request an extension of the deadlines for WSFS and Required Lender Defendants (collectively, “Defendants”), each of whom was served on a different day, to answer, move, or otherwise respond to the complaint to July 19, 2021.¹ We respectfully request that the Court extend the deadline to answer, move, or otherwise respond without prejudice to Defendants’ right to request a further extension if needed. This short extension will allow Defendants sufficient time to investigate and respond to the allegations in the complaint. This is Defendants’ first request for an extension of time and would not affect any other scheduled dates. Plaintiffs consent to this request. In the event Defendant(s) move to dismiss, the parties request that Plaintiffs have 30 days to respond and Defendant(s) have 14 days to reply.

¹ The deadline for WSFS to answer or otherwise respond to the complaint is June 18, 2021. The deadline for CIFIC Asset Management LLC to answer or otherwise respond to the complaint is June 22, 2021. The deadline for Abry Partners, LLC and Ellington Management Group, L.L.C. to answer or otherwise respond to the complaint is June 23, 2021. The deadline for Apex Credit Partners, LLC and Trimaran Advisors Management, L.L.C. to answer or otherwise respond to the complaint is June 24, 2021.



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Respectfully,

/s/ Madlyn Gleich Primoff

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*Counsel for Defendant Wilmington
Savings Fund Society, FSB*

/s/ Mary Beth Maloney

Mary Beth Maloney

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Abry Partners, LLC; CIFIC Asset

Management LLC; Apex Credit

Partners, LLC; Ellington

Management Group, L.L.C.; and

Trimaran Advisors Management,

L.L.C.

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